

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re the application of:

Jussi NURMI et al.

Serial Number: 10/579,137

Group Art Unit: 1637

Filed: May 15, 2006

Examiner: Mummert, Stephanie K.

For: NUCLEIC ACID AMPLIFICATION ASSAY AND ARRANGEMENT THEREFOR

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 29, 2011

Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed June 6, 2011, submitted herewith is a corrected appeal brief which is signed but otherwise identical to the original brief filed May 25, 2011.

The undersigned spoke with Ms. Delores Lowe today to point out the original brief complies with 37 CFR § 41.37(c)(1)(v). More particularly, page 2, last line to page 3, line 9 of the original brief summarize independent claim 18 and cite the specification (page 3, lines 22-29 and original claims 1 and 3) for support. Ms. Lowe agreed the original brief complies with 37 CFR § 41.37(c)(1)(v).

U.S. Appln. S.N. 10/579,137

**PATENT**

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

It is not believed any fee is required for consideration of the corrected appeal brief. Nevertheless, please charge Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,

/James C. Lydon/

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Enclosure:  
Corrected Appeal Brief